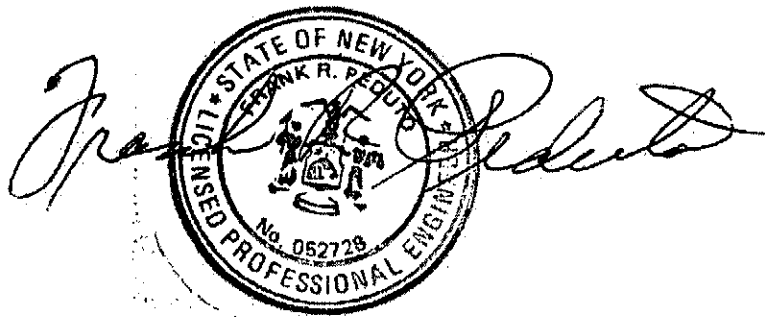


**CONTINGENCY PLAN**

**COPY**

**RASCO MATERIALS, LLC  
WINGDALE PETROLEUM-CONTAMINATED  
SOIL PROCESSING FACILITY**



***Prepared for:***

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**CONTINGENCY PLAN  
RASCO Materials, LLC**

**Table of Contents**

1.0	INTRODUCTION .....	1
1.1	Purpose and Scope .....	1
1.2	Facility Description.....	1
1.2.1	Site Location and Access .....	1
1.2.2	Facility Layout and Features .....	1
1.2.3	Facility Operations.....	2
2.0	GENERAL EMERGENCY RESPONSE PROCEDURES .....	3
2.1	Potential Emergency Incidents .....	3
2.2	Emergency Coordinator and Chain of Command.....	3
2.3	Duties and Responsibilities of the Emergency Coordinator.....	4
2.3.1	Implementation of the Contingency Plan .....	4
2.3.2	Emergency Response Procedures .....	5
2.4	Internal Communication/Warning System .....	8
2.5	External Communication/Warning System .....	8
2.6	Evacuation Plan .....	8
2.7	Emergency Response Equipment .....	9
2.8	Available Emergency Services .....	10
3.0	SPECIFIC INCIDENT RESPONSE PROCEDURES.....	11
3.1	Incident Response and Control Procedures .....	11
3.1.1	Fire and/or Explosion .....	11
3.1.2	Pollutant or Contaminant Releases .....	11
3.1.3	Incompatible or Reactive Waste Reactions .....	12
3.1.4	Unacceptable or Hazardous Wastes.....	12

3.1.5	Spills .....	12
3.1.6	Equipment Malfunction or Breakdown.....	13
3.1.7	Dust Control .....	13
3.1.8	Litter Control .....	13
3.1.9	Odor Control .....	13
3.1.10	Noise Control.....	13
3.1.11	Vector Control.....	14
3.1.12	Unusual Traffic Conditions.....	14
3.1.13	Unexpected Facility Shutdown over 24 Hours .....	14
3.2	Medical Emergencies/First Aid .....	14
4.0	ARRANGEMENTS WITH LOCAL RESPONSE AGENCIES .....	15

**LIST OF APPENDICES**

- Appendix A Emergency Coordinators
- Appendix B Emergency Response Agencies

## **1.0 INTRODUCTION**

### **1.1 Purpose and Scope**

This Contingency Plan (the "Plan") has been developed for the RASCO Materials, LLC's Cold-Mix Asphalt Facility (the "facility") located off NYS Route 22 in the Town of Dover. The facility's Engineering Report and Operations and Maintenance (O&M) Manual provide pertinent information regarding site design features and operating and maintenance procedures. In the event that any accident or incident occurs that would adversely affect environmental, health, and/or personnel safety, the Plan outlines appropriate measures which are to be undertaken by site personnel to promptly and effectively respond to an incident, thereby minimizing the effect of the incident.

Section 1 of the Plan describes the purpose and scope of the Plan, the facility layout, and the general operating conditions. Section 2 identifies potential adverse incidents and provides information regarding general facility response procedures and equipment. Section 3 provides information regarding response measures that are to be undertaken by site personnel in response to specific types of incidents. Section 4 provides information regarding arrangements that are presently being sought by the facility with local response agencies, as pre-planning measures.

### **1.2 Facility Description**

#### **1.2.1 Site Location and Access**

The facility's street address is 2241 NYS Route 22. It is located in the Mid-Hudson Recycling Park on the west of side of NYS Route 22, 2 miles north of Wingdale.

#### **1.2.2 Facility Layout and Features**

Figure 3 of the Engineering Report provides the site plan for the facility. As shown in the site plan, primary facility features include the office, equipment garage, storage building, one truck scale, roads, and parking lot. Access to the facility will be via the entrance gates located on the east side of the facility along NYS Route 22. The site perimeter is controlled by a 5-foot chain link fence system.

During normal business hours the office and scales will be continuously staffed by facility personnel. These personnel will generally be the first point of contact for inbound emergency response vehicles and will provide additional site information and direction to the emergency response vehicles and personnel, as necessary.

### **1.2.3 Facility Operations**

Solid waste management operations conducted by the facility will consist of receipt of non-hazardous petroleum-contaminated soil (PCS) for the production of cold-mix asphalt as a final or end-product. Minimal waste disposal activities will occur on-site.

During normal business hours, facility personnel will generally be working within the storage building, the equipment building, the office, and the scale.

## **2.0 GENERAL EMERGENCY RESPONSE PROCEDURES**

### **2.1 Potential Emergency Incidents**

The following are potential adverse incidents that could occur at the facility and that may require personnel response.

- Fire and/or explosions.
- Pollutant or contaminant releases to air, soil, groundwater, and/or surface water.
- Incompatible or reactive waste reaction.
- Unacceptable or hazardous wastes delivered to the facility.
- Accidental spills
- Equipment malfunction or breakdown.
- Nuisance conditions such as excessive dust, litter, or noise.
- Unusual traffic conditions and vehicular accidents or collisions.
- Unexpected facility shutdown for a period greater than 24 hours.

### **2.2 Emergency Coordinator and Chain of Command**

The Operations Coordinators for the facility will also serve as the Emergency Coordinators for the facility (see Appendix A). The Emergency Coordinator is assigned the direct responsibility for coordinating all aspects pertaining to incident response measures. The alternate Emergency Coordinator automatically assumes the role of Emergency Coordinator if the designated Emergency Coordinator is unavailable. In the event that site personnel assigned to these two positions are unavailable, a second or third alternate Emergency Coordinator will assume the role.

At all times during active facility operations, there will be at least one Emergency Coordinator on site or on-call, with the authority and responsibility to commit the necessary resources to carry out all required provisions of the Contingency Plan. In the event the designated Emergency Coordinator must coordinate incident response measures from off-site, the Emergency Coordinator may designate an on-site employee to act as a temporary or acting on-site coordinator, who will maintain ongoing communication with the off-site Emergency Coordinator. The acting on-site coordinator is responsible for informing remaining on-site personnel that he/she is acting as the on-site coordinator, working in consultation with the off-site Emergency Coordinator. It is important to note that the acting on-site coordinator will not

replace or supersede the designated (off-site) Emergency Coordinator. At all times during site operations and throughout the duration of incident response measures, one employee will maintain that designation of Emergency Coordinator, in accordance with the hierarchy detailed in the preceding paragraph.

Appendix A lists the site personnel who are designated as the Emergency Coordinator and alternate Emergency Coordinators, with their work and home phone numbers.

## **2.3 Duties and Responsibilities of the Emergency Coordinator**

### **2.3.1 Implementation of the Contingency Plan**

The Emergency Coordinator will be responsible for deciding whether or not to implement the Contingency Plan in response to an observed incident. The Contingency Plan is to be implemented if any of the following criteria are met.

#### *Fire and/or Explosion – Activate Plan if a fire occurs and:*

- The fire spreads and could possibly ignite materials at other locations on-site or could cause heat-induced explosions.
- The fire could possibly spread to off-site areas.
- Use of water and/or chemical fire suppressants could result in contaminated runoff.
- An imminent danger exists that an explosion could ignite other materials at the facility.
- An explosion has occurred.

#### *Material Release or Spill - Activate Plan if a spill occurs and:*

- The spill could result in release of flammable, ignitable, or combustible liquids or vapors, thus causing fire or gas explosion hazard, or
- The spill can be contained on-site, but the potential exists for groundwater contamination, or
- The spill cannot be contained on-site, resulting in off-site soil contamination and/or ground or surface water pollution.

#### *General Criteria*

- In general, any incident that would significantly affect or alter site activities being conducted by site personnel would require an appropriate response from all on-

site personnel. If uncertain, the Contingency Plan will be implemented as a conservative measure.

Note: It is not mandatory that the Plan be implemented for all adverse incidents. Minor incidents, (e.g., cleanup of small amounts oil leakage from vehicles or equipment onto paved surfaces or enclosed area of a building), may be responded to by a single employee without affecting or requiring the attention of other site personnel, thereby not requiring implementation of the Plan. In general, in accordance with the criteria listed above, the Plan will be implemented for incidents that require the full attention and response of all on-site personnel. The Emergency Coordinator has the responsibility for promptly deciding if he/she should implement the Plan.

### **2.3.2 Emergency Response Procedures**

Whenever there is any type of incident at the facility that could potentially impact the environment and/or personnel health and safety, the Emergency Coordinator must immediately notify facility personnel, identify the source and determine the extent of the incident, and take action to control the situation. These response components form the basis of implementation of the Contingency Plan. Similar procedures should be followed for investigation of incidents that do not require implementation of the Contingency Plan. These response components are further detailed below.

#### *Personnel Notification*

In the event of a potential, imminent, or actual emergency incident, the first person on the scene should immediately notify the Emergency Coordinator who, in turn, will initiate appropriate response measures. Depending on the emergency incident, it may be appropriate for the person first detecting the incident to provide preliminary notification and instructions to site personnel in the immediate vicinity of the incident, followed by immediate notification to the Emergency Coordinator. For example, if an employee detects a fire within the equipment building, the storage building, or the office, he/she should first alert other personnel that he/she knows are working in the building, such that evacuation of the building can begin immediately. This preliminary notification to local vicinity personnel must be performed only if it does not put the notifying employee at an increased or at an unacceptable level of risk. In this example, the Emergency Coordinator must then be immediately notified by the employee(s) after they have evacuated the building. All facility personnel are equipped with walkie-talkies for intra-site communication.

Having been apprised of the situation, the Emergency Coordinator must proceed to notify all remaining facility personnel via walkie-talkies, if not previously done, and aid in evacuation, if necessary. Progression of notification by the Emergency Coordinator is to continue to any local,

state, or federal response agency deemed appropriate by the Emergency Coordinator. Appendix B contains a list of potential emergency response agencies and their telephone numbers. This list will be posted near all facility telephones as well as other appropriate locations such as the employee safety information board.

### *Identification*

Whenever there is an incident that could potentially impact the environment and/or personnel health and safety, the Emergency Coordinator will immediately identify the source and extent of the incident, to the extent possible. At no time during these response stages will the Emergency Coordinator put himself/herself at increased risk. If uncertain, evacuation will proceed, with notification to the appropriate emergency response agencies for investigation by professionally trained and properly equipped personnel.

### *Assessment*

In case of an emergency situation, an assessment of the possible hazard would be made. If the Emergency Coordinator determines that the facility has had a fire and/or explosion, spill or release, or other incident that presents a possible hazard to public health and safety and/or the environment, and initiates the Contingency Plan, notification to local authorities must be made immediately. Detailed information must be provided such that the responsible authorities can evaluate the need for public evacuation of the surrounding areas.

When making a report to the local authorities for such purposes, the following information will be provided.

- Name and telephone number of person making the report.
- Name and address of the facility.
- Type and time of incident occurrence (actual or estimated).
- Name and quantity of material(s) involved, to the extent known.
- Nature and extent of bodily injuries and property damage, if any.
- Possible hazards to public health and safety and/or the environment surrounding the facility.

If the Emergency Coordinator determines that the incident will disrupt or affect adjacent property users, then the Emergency Coordinator must contact the affected owner(s) promptly and provide pertinent information.

### *Control Procedures*

Emergencies can happen quickly and unexpectedly, and often require immediate response. In the event of any emergency situation, the Emergency Coordinator has the responsibility to direct all reasonable measures to prevent the occurrence, recurrence, or spread of fire, explosion, or unplanned releases to other portions of the facility. These measures include, when applicable and necessary, ceasing facility operations and collecting and containing any released materials.

If an emergency occurs, fully trained personnel should be contracted as soon as possible. Request for assistance from emergency response agencies should always include:

- Name, address, and telephone number of the facility.
- Type and time of occurrence (actual or estimated).
- Nature and extent of bodily injuries and property damage, if any.
- Possible hazard to public health and safety and/or the environment surrounding the facility.
- Type and quantities of materials involved, if known.

In many circumstances, facility personnel will provide control or containment measures that will help minimize the effect of adverse incidents. These potential response measures are described for specific types of incidents in Section 3.

### *Storage and Treatment of Released Materials*

Immediately after an emergency situation, the Emergency Coordinator must make arrangements for the handling, storage, transportation or disposal of recovered wastes, water, or contaminated materials resulting from an incident. Local regulatory and/or engineering staff may be contacted, as necessary, for review of the proposed management methods. If necessary, trained professionals would be contracted to provide the actual material management services.

### *Post-Emergency Equipment Maintenance*

Following an emergency incident, all emergency response equipment used will be cleaned and made fit for re-use, or replaced as necessary, so that the equipment will be available when facility operations resume. Post-emergency equipment maintenance activities may include recharging of fire extinguishers, replacement of personal protective gear, and restocking of disposable items.

#### **2.4 Internal Communication/Warning System**

The facility's internal communication and warning system includes walkie-talkies, smoke detectors, and oral communication. The smoke alarms will detect fires in the office, equipment building, and storage building at an early stage and alert local personnel by activation of an alarm (audio and/or visual). Facility personnel who are on site will also orally alert remaining personnel and will provide information and instructions relative to the incident. These various communications and warning features will allow for prompt notification and instructions to all site personnel.

#### **2.5 External Communication/Warning System**

Telephones located in the office will be used to contact appropriate emergency response agencies. The emergency response agency list (Appendix B) will be posted near all facility telephones as well as at other appropriate facility locations.

#### **2.6 Evacuation Plan**

In an emergency, the Emergency Coordinator is responsible for determining when facility evacuation is required. Imminent or actual dangers that will constitute a situation requiring immediate evacuation include:

- A generalized fire or threat of generalized fire that cannot be avoided or responded to.
- An explosion or threat of explosion that cannot be averted.
- A major spill or leak that cannot be contained and which constitutes a significant or serious threat to human health or public safety.

If the Emergency Coordinator is uncertain about the level of danger, an orderly evacuation will be initiated.

If evacuation is required and time permits, the following procedures will be followed:

- Alert all personnel using the walkie-talkies and oral communication.
- Shut down all facility equipment.
- All personnel would proceed to the primary designated assembly point. For all facility personnel, the primary designated assembly point will be outside of the office. Once assembled, the Emergency Coordinator will direct a head count to determine if there are any missing personnel.

- Once assembled, personnel must standby to receive further instruction or offer assistance as directed by the Emergency Coordinator.
- If the primary designated meeting place is blocked, inaccessible or in potential danger from the incident, all personnel would instead proceed to the alternate pre-designated on-site assembly point. For all personnel, this location will be at the facility entrance set back from the road.
- Once assembled, personnel must wait for the head count and further instruction from the Emergency Coordinator.

If evacuation is required and time does not permit, the following procedures will be followed:

- Alert all personnel using the walkie-talkies.
- For evacuation, all personnel must immediately evacuate to the office.
- If the evacuation route is impassible or in danger from the incident, all personnel would evacuate through the entrance gate.
- Once assembled off-site, all personnel must await the head count and further instructions from the Emergency Coordinator.

If further neighborhood evacuation is necessary, additional instruction will be provided by the Emergency Coordinator and the local municipal authorities and response agencies. All personnel must promptly follow all such instructions.

## **2.7 Emergency Response Equipment**

The following emergency response equipment will be maintained on-site.

### *Warning/Communication System*

Land-based or mobile telephones will be used to contact appropriate emergency response agencies.

### *Fire-Fighting Equipment*

Fire extinguishers will be strategically located within the facility for use in the event of small fires. All fire extinguishers will be checked on a monthly basis to ensure charge and availability. All facility personnel will be trained in the permanent locations for the fire extinguishers, as well as proper use in the event of an emergency.

The smoke detector system will also sound an audible and visible alarm.

*First Aid Kits*

Several basic first aid kits will be located within the facility. They will be situated in the office area, in the equipment building, and in the storage building.

**2.8 Available Emergency Services**

Various local and regional emergency response agencies will be available to provide prompt, trained assistance to the facility in the vent of a site emergency. For all emergencies requiring assistance, 911 will be called. Fire and ambulance departments respond to 911 calls. These agencies are listed in Appendix B. This list will be posted near each facility telephone.

### **3.0 SPECIFIC INCIDENT RESPONSE PROCEDURES**

The following sections provide information for site personnel for response to specific emergency or nuisance incidents. The response measures are divided into two categories: Incident Response and Control Procedures (Section 3.1) and Medical Emergencies/First Aid (Section 3.2).

#### **3.1 Incident Response and Control Procedures**

In addition to the detailed response measures listed below for specific incidents, all incidents will be recorded in the facility's daily log records. Such records will be retained in a safe place for future review and reference.

##### **3.1.1 Fire and/or Explosion**

Generally, large scale fires or explosions will require personnel notification and facility evacuation, allowing for response by trained emergency response agencies. In the event of a small fire, site personnel would attempt to extinguish the fire only if the fire is small enough to be safely handled, the employee has been properly trained, and proper equipment is readily available. An employee would attempt to extinguish a fire only if additional personnel are available for support and assistance (buddy system).

Immediate response measures by site personnel in these situations would concentrate on preventing spread of the fire to other areas of the facility and, if necessary, providing immediate emergency medical attention to injured personnel (Section 3.2). Any possible sources of ignition would be removed from the affected area, if it can be done without risk. Vehicular traffic would be suspended and work ceased until the incident is safely controlled.

Fire extinguishers will be maintained at strategic locations throughout the facility.

##### **3.1.2 Pollutant or Contaminant Releases**

Once a pollutant or contaminant release has occurred, professional response agencies and material clean-up firms would be required to provide remediation of the affected media to the extent practicable. If it can be safely accomplished, site personnel would minimize the extent of impact by controlling or addressing the source (i.e. shutting off process flows, righting tipped containers, etc.). Minor spills (i.e. oil leaks, minor oil or petroleum spills) may be remediated by site personnel using hand tools and absorbents. Spill containment and clean-up equipment will be readily available in the equipment and storage buildings. Trained professionals will be notified to address large scale incidents such as major fuel leaks or utility breaks, due to the inherent danger of these materials. In addition, local spill response companies and regulatory

staff may be contacted to confirm proper management and disposal measures for cleaned-up materials. The list of Emergency Response Agencies included in Appendix B also lists professional spill response companies and regulatory staff who are to be contacted under these circumstances.

### **3.1.3 Incompatible or Reactive Waste Reactions**

The cause or nature of these types of incidents will require response by trained and properly equipped professionals. Site personnel would respond to these types of incidents only if the incident can be properly assessed and verified. If the materials can be adequately identified as non-threatening, hand tools and mobile equipment can be used to segregate and contain the materials.

### **3.1.4 Unacceptable or Hazardous Wastes**

Control measures will be taken to ensure that only non-hazardous soil that is authorized to be processed at this facility is processed and that any unauthorized waste will be not be accepted at the site. All incoming material will be tested before it is off-loaded from the truck. The process for testing soil is described in Section 3.2 of the O&M Manual. Any soil not meeting these criteria will be rejected and not be allowed to be off-loaded.

### **3.1.5 Spills**

Federal and state laws require responsible parties to notify government agencies of certain releases of pollutants, petroleum and other hazardous materials. The DEC Spill Response Program operates the New York State Spill Hotline for this purpose. Liquid or hazardous material spills will be responded to by site personnel in a manner similar to pollutant releases. Small, non-threatening spills or known materials can be remediated by site personnel using hand tools and absorbents. Upon proper assessment of the spill, site personnel can secure the affected area, control the spill source, and clean up the spill. Personnel must utilize the proper equipment, on-site materials and personal protective equipment for spill response. Local regulatory personnel and/or trained professionals must be contacted as necessary for proper spill clean-up verification and material disposal. Large volume liquid spills or hazardous material spills would only be handled by trained and authorized professionals.

In accordance with the Navigation Law and/or New York State PBS regulations or Spill Program Policy, the following petroleum spills are to be reported within 2 hours of anyone becoming aware of the release:

- a) greater than 5 gallons;
- b) less than 5 gallons if spilled on to a pervious surface (soil, grass, etc.).

Spills less than 5 gallons that fall on an impervious surface (concrete, asphalt, etc.) and are cleaned up within two hours do not require reporting. Spills at the RASCO facility shall be reported by any personnel to the New York State Department of Environmental Conservation Spill Hot Line at 1- 800-457-7362 (within NYS) or 1-518-457-7362 (outside NYS).

### **3.1.6 Equipment Malfunction or Breakdown**

Site personnel will respond to equipment malfunctions or breakdowns by immediately turning the equipment power off. Communication with other personnel for shutdown of other affected systems or equipment would be made as soon as possible. If recognizable and minor, the equipment malfunction can be addressed by the operator using appropriate lock out/tag out procedures, and removal to the service garage. Additional assistance from mechanics and/or equipment vendors would be sought if the cause of the malfunction is unknown or the malfunction is major. If a piece of equipment is anticipated to be out of service for a long period of time, backup site equipment will be activated or additional equipment would be rented. In no circumstance would equipment be put into service for use other than the intended or appropriate design use.

### **3.1.7 Dust Control**

Roadway dust is being controlled by use of calcium chloride, a commonly used control measure.

### **3.1.8 Litter Control**

The facility will be regularly inspected to prevent the accumulation of litter. Litter will be promptly collected by facility personnel using hand tools and will be delivered to a specified disposal location for subsequent removal.

### **3.1.9 Odor Control**

Since PCS and asphalt product are stored within a building, it is not anticipated that odors will be noticed by neighbors. If, in the future, odors become a concern, an odor control program will be formulated.

### **3.1.10 Noise Control**

Routine operations will not create excessive noise levels, therefore excessive noise levels can generally be attributed to non-routine operations or equipment malfunction. Excessive noise

levels will thus be controlled by identifying and removing or repairing the source. Because the facility is located in a reasonably isolated area zoned for industrial use, it is not expected that noise levels will be inconsistent with the surrounding zoned land use.

#### **3.1.11 Vector Control**

No large quantities of putrescible waste will be stored on-site, thus minimizing vector attraction. Roadways on the site will be kept well graded to minimize puddling and reduce opportunities for mosquito habitats to accumulate.

#### **3.1.12 Unusual Traffic Conditions**

If a disruption of normal operations occurs such that efficient traffic flow is prevented, properly trained site personnel will be assigned to direct and control the traffic flow.

#### **3.1.13 Unexpected Facility Shutdown over 24 Hours**

In the event of an unexpected facility shutdown over 24 hours, the facility will be secured. If the facility is unable to accept PCS or provide cold-mix asphalt, the customer or haulers will be promptly contacted so that alternate arrangements can be made.

### **3.2 Medical Emergencies/First Aid**

In cases of medical emergency, trained medical response personnel would be contacted immediately. First-aid administered by trained on-site facility personnel will be initiated and continued until professional assistance arrives.

The initial responsibility for first-aid rests with the first person at the emergency scene who could react quickly and in a calm and reassuring manner. The person assuming responsibility would immediately summon medical assistance from designated personnel and report the suspected types of injury or illness to such individual in as much detail as possible. The Emergency Coordinator would also need to be made aware of the emergency. The injured person would not be moved, except when necessary to prevent further injury. All individuals present at the scene would be quickly surveyed to ascertain individuals having the highest level of professional first-aid training. These trained individuals would administer the initial basic first-aid until professional assistance arrived on the scene.

#### 4.0 ARRANGEMENTS WITH LOCAL RESPONSE AGENCIES

Written requests for facility review and comment with respect to emergency response arrangements will be submitted to the local emergency response agencies (Appendix B). The intent of this pre-planning briefing and site visit request will be to provide these agencies with the following minimum site information.

- Facility layout or site plan.
- Facility operations including types and amounts of materials handled.
- Facility locations where personnel would normally be expected to be working.
- Facility entrances and interior vehicle routes.
- Designated facility evacuation routes and reassembly locations.
- Other appropriate information that may be requested by the agencies.

Site visits and any comments received from state and local emergency response agencies will be documented in the operating record. The Contingency Plan will be modified in response to all appropriate requests or comments provided by the agencies. Copies of the modified Contingency Plan will be resubmitted to the response agencies as well as maintained on-site. Site personnel will be appropriately trained in the case of Contingency Plan revisions to insure that site personnel are current in all required emergency response procedures.

Revisions to the Contingency Plan will be submitted to the DEC as part of the Part 360 Annual Report whenever additional information is needed to respond to an emergency; the facility changes in a way that materially increases the potential for fire, explosion, or release of pollutants or changes to the emergency response; the emergency coordinator designations are changed; and/or the on-site emergency equipment inventory or type changes. Revisions to the Contingency Plan will also be submitted to the emergency response agencies following DEC approval.

## **APPENDICES**

**APPENDIX A**

**Primary and Alternate Emergency Coordinators**

Primary Emergency Coordinator	
Name:	Susan Meehan
Title:	Operations Coordinator
Business Phone:	845-832-3434
Cell Phone:	
Home Address:	9 Evans Hill, Sherman, CT
Home Phone:	860-355-7098
Alternate Emergency Coordinator	
Name:	George Anderson
Title:	Operations Coordinator
Business Phone:	845-832-3434
Cell Phone:	84 Ontiontown Road, Dover Plains, NY
Home Address:	
Home Phone:	845-877-1504
Alternate Emergency Coordinator	
Name:	Jim Silver
Title:	Operations Coordinator
Business Phone:	845-832-3434
Cell Phone:	
Home Address:	NYS Route 22, Dover Plains, NY
Home Phone:	860-877-4777
Alternate Emergency Coordinator	
Name:	Jack Nelson
Title:	Operations Coordinator
Business Phone:	845-832-3434
Cell Phone:	
Home Address:	200 Bulls Bridge Road, South Kent, CT
Home Phone:	860-927-4581

**APPENDIX B**

### Emergency Contact Numbers

Agency	Phone Number
New York State Police – Dover	677-6321
Dutchess County Sheriff	486-3800
Fire and Ambulance	911
Dover Plains Fire Department	454-1232
Poison Control	1-800-336-6997
Sharon Hospital 50 Hospital Hill Road Sharon, CT	860-364-4141
New Milford Hospital 21 Elm Street New Milford, CT	860-355-2611
OSHA	518-464-6742
DEC Spill Hotline	800-457-7362
DEC Hazardous Materials	845-256-3144
DEC Monitor	845-256-3130
DEC Region 3 Office	845-256-3000
Spill Contractor: Concord Environmental	860-927-3507